

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheo *et al.*

Appl. No. 09/732,914

Filed: December 11, 2000

For: **Use of Multiple Recombination  
Sites with Unique Specificity in  
Recombinational Cloning**

Confirmation No. 2341

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

**Eighth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

The numbering on this Eighth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Seventh Supplemental Information Disclosure Statement filed October 14, 2003, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

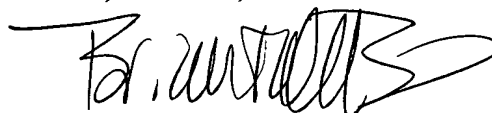
This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



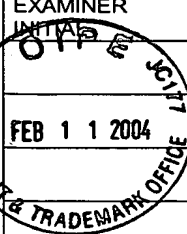
Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: Feb. 11, 2004  
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FORM PTO-1449

EIGHTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
0942.5010002/RWE/BJD/JKMAPPLICATION NO.  
09/732,914FIRST NAMED INVENTOR  
Cheo *et al.*FILING DATE  
December 11, 2000ART UNIT  
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## U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	113	Kuempel, P., <i>et al.</i> , "Use of a transposon ( <i>Tndif</i> ) to obtain suppressing and nonsuppressing insertions of the <i>dif</i> resolvase site of <i>Escherichia coli</i> ," <i>Genes Dev.</i> 10:1162-1171, Cold Spring Harbor Laboratory Press (July 1, 1996).
	AT	113	Lee, M.H., <i>et al.</i> , "Site-specific integration of mycobacteriophage L5: Integration-proficient vectors for <i>Mycobacterium smegmatis</i> , <i>Mycobacterium tuberculosis</i> and bacille Calmette-Guérin," <i>Proc. Natl. Acad. Sci. USA</i> 88:3111-3115, National Academy of Sciences (1991).

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AR	<u>114</u>	Manning, P.A., <i>et al.</i> , "Gene Capture in <i>Vibrio cholera</i> ," <i>Trends in Microbiology</i> 7:93-95, Elsevier Science (1999).
	AS	<u>114</u>	Murayama, N. <i>et al.</i> "Evidence for Involvement of <i>Escherichia coli</i> Genes <i>pmbA</i> , <i>csrA</i> and a Previously Unrecognized Gene <i>tldD</i> , in the Control of DNA Gyrase by <i>letD</i> ( <i>ccdB</i> ) of Sex Factor F," <i>J. Mol. Biol.</i> 256:483-502 Academic Press Limited (1996).
	AT	<u>114</u>	Shuman, S., "Novel Approach to Molecular Cloning and Polynucleotide Synthesis Using Vaccina DNA Topoisomerase," <i>J. Biol. Chem.</i> 269:32678-32684, The American Society for Biochemistry and Molecular Biology, Inc. (1994).

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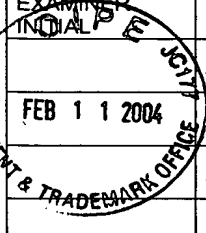
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	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>115</u>	Zechiedrich, E.L., <i>et al.</i> , "Topoisomerase IV, not gyrase, decatenates products of site-specific recombination in <i>Escherichia coli</i> ," <i>Genes Dev.</i> 11:2580-2592, Cold Spring Harbor Laboratory Press (1997).
	AS	<u>115</u>	Institut Pasteur Website, Introduction: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/intro.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/intro.html</a> (accessed 6/19/2003).
	AT	<u>115</u>	Institut Pasteur Website, Figure 1: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig1.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig1.html</a> (accessed 6/19/2003).

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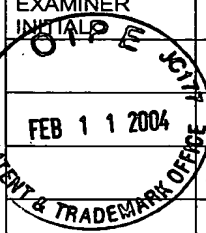
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	AR	<u>116</u>	Institut Pasteur Website, Figure 2: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig2.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig2.html</a> (accessed 6/19/2003).
	AS	<u>116</u>	Institut Pasteur Website, Figure 3: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig3.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig3.html</a> (accessed 6/19/2003).
	AT	<u>116</u>	Institut Pasteur Website, Main page: <a href="http://www.pasteur.fr/recherche/unites/pmtg">http://www.pasteur.fr/recherche/unites/pmtg</a> (accessed 6/19/2003).

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•Practice Limited to Federal Agencies

February 11, 2004

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Commissioner for Patents  
PO Box 1450  
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**Art Unit 1636**

Re: U.S. Utility Patent Application  
Application No. 09/732,914; Filed: December 11, 2000  
For: **Use of Multiple Recombination Sites with Unique Specificity in Recombinational Cloning**  
Inventor: **Cheo et al.**  
Our Ref: 0942.5010002/RWE/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Eighth Supplemental Information Disclosure Statement;
2. List of cited references on Form PTO-1449 (4 sheets);
3. A copy of each reference cited on Form PTO-1449 (11 documents: AS113-AT116); and
4. Return postcard.


It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 11, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a long horizontal flourish extending to the right.

Brian J. Del Buono  
Attorney for Applicant  
Registration No. 42,473

BJD/JKM/as

229184.1